

Title 197 - NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

Chapter 5 - CERTIFICATION APPLICATION AND EXAMINATION PROCEDURES

001. An applicant is required to submit an application which contains information regarding education, and work experience to the department with the respective application fee prescribed in Appendix C, hereby adopted and incorporated herein. The department will notify applicants if additional information is required.

002 When an application for certification is denied, the department will notify the applicant in writing and explain the reason for denial. Upon notice of denial, the applicant may request a hearing following the procedure referred to in Chapter 11.

003 All applications received less than five (5) days prior to a scheduled examination date may be held for the next scheduled examination date.

004 A minimum of four examinations per year will be scheduled across the state.

005 After receipt of the application, the department will review the application and will schedule a date, time and place of examination for the applicant, or notify the applicant otherwise.

006 When the applicant is ineligible for certification, as prescribed in Chapter 10, Section 004, the department will notify the applicant in writing and explain the reason for ineligibility. Upon notice of ineligibility, the applicant may request a hearing, following the procedure referred to in Chapter 11.

007 Applicants must attain a minimum grade of seventy percent for passage of an examination. All applicants shall be notified regarding the examination results by the department in writing as soon as the results of the examination are available.

## Title 197

### Chapter 5

008 Upon failure to pass an examination, an applicant shall be permitted to be re-examined at subsequent examinations. Applicants desiring to be re-examined shall submit their application

together with the retesting fee as prescribed in Appendix C. Applicants failing three (3) exams in succession shall obtain a minimum of 1 CEU of applicable training prior to retesting.

009 All examination records shall be filed and retained by the department for three years.

010 Alternative testing may be provided for unusual situations upon written request by the owner or the operator to the director. If alternative testing is approved by the director, a wastewater treatment facility-specific test will be prepared and offered to applicants who have attempted to pass the written test at least three times, are unable to comply with the standard written testing procedures, but may otherwise qualify as an operator. The fee for the alternative test will be in accordance with the fee schedule in Appendix C. The alternative test may include an oral test and a demonstration by the operator showing successful operation of all phases of the wastewater treatment facility the applicant is employed to operate. The test will be administered by the department and may result in a restricted certification as addressed in Chapter 4, Section 004.

Enabling Legislation: Neb. Rev. Stat. §81-15,130(1)(3)(4)(5)(6)(7)(8) and §81-15,131.

Legal Citation: Title 197, Ch.5, Nebraska Department of Environmental Quality.